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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,817	02/24/2004	Yong Cheol Park	46500-000120/US	1150

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HARNESSE, DICKEY & PIERCE, P.L.C.
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RESTON, VA 20195

EXAMINER

ALUNKAL, THOMAS D

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/784,817

Applicant(s)

PARK ET AL.

Examiner

Thomas D. Alunkal

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 25-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claim 30 is objected to because of the following informalities: Claim 30 recites "wherein the first and second pointers identify most current versions of **the first and information**". The bolded section is grammatically incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 25-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Gotoh et al (hereafter Gotoh)(US 6,581,167).

Regarding claim 25, Gotoh discloses a recording medium having a data structure for managing a data area of the recording medium (Abstract), comprising: a

management area (Figure 1, Elements 103 and 104) storing a data block, the data block having first information including recordation status indicating recorded areas and non-recorded areas of the data area (Figure 1, Element 113 and Column 13, lines 56-61), and second information including a first pointer pointing to an address where the first information is recorded (Figure 1, Element 103 and Column 13, lines 48-52 (*descriptor pointer*)).

Regarding claim 26, Gotoh discloses wherein the first information indicates recordation status of the data area on a recording unit by recording unit basis (Column 13, lines 56-61 (*sector by sector basis*)).

Regarding claim 27, Gotoh discloses wherein the data block includes at least one recording unit (Figure 1, Elements 103 and 104 include multiple recording units).

Regarding claim 28, Gotoh discloses wherein the second information includes a second pointer pointing to an address where a defect list is recorded (Figure 1, Elements 101 and 103. Specifically, volume structure area contains address information for all sectors within the data recording area).

Regarding claim 29, Gotoh discloses wherein the address is a first physical sector number of a location where the first information is recorded (Column 10, lines 62-67).

Regarding claim 30, Gotoh discloses wherein the first and second pointers identify most current versions of the first information and the defect list, respectively, as of when the second information is recorded (Figure 11 and Column 28, line 67-Column 29, line 65).

Regarding claim 37, Gotoh discloses wherein the management area includes space to record a subsequent data block having the first information different from the first information in the data block (Figure 11, Element 113).

Regarding claim 38, Gotoh discloses wherein the first information in the subsequent data block reflects changes in the recordation status since the data block was recorded (Column 29, lines 38-45. More specifically, creation of second spare area 113 reflects changes in the space bit map (first information)).

Method claims [31-33 and 39-40] *and* [34-36 and 41-42] are drawn to methods of recording and reproducing to/from a recording medium as claimed in claims 25-30 and 37-38. Gotoh further discloses an information recording/reproduction system which performs the steps of recording and reproducing. Therefore, method claims [31-33 and 39-40] *and* [34-36 and 41-42], containing the method steps of recording to and reproducing from the recording medium claimed in claims 25-30 and 37-38 are rejected for the same reasons of anticipation as used above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takahashi (UG PgPub 2002/0136118) discloses an information recording medium having a secret area used in defect management. Ohata et al (US 6,469,978) disclose rewritable optical disk with spare area and optical disk processing apparatus.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Alunkal whose telephone number is (571)270-1127. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571)272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas Alunkal



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER